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7 **UNITED STATES DISTRICT COURT**
8 **WESTERN DISTRICT OF WASHINGTON**
9 **AT SEATTLE**

10 UNITED STATES OF AMERICA,

NO. MJ10-271

11 Plaintiff,

12 v.

DETENTION ORDER

13 JONATHAN TAVARES,

14 Defendant.

15 Offense charged:

16 Count 1: Conspiracy to Distribute Oxycodone, in violation of 21 U.S.C. §§
17 841(a)(1), 841(b)(1)(C) and 846

18 Count 2-4: Distribution of Oxycodone, in violation of 21 U.S.C. §§ 841(a)(1),
19 841(b)(1)(C), and 18 U.S.C. § 2

20 Date of Detention Hearing: June 29, 2010

21 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
22 based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

23 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- 24 1. Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that
25 defendant is a flight risk and a danger to the community based on the nature of
26 the pending charges. Application of the presumption is appropriate in this case.

2. Defendant has on-going substance abuse problems.
3. Defendant has a substantial history of failures to appear.
4. Defendant has a history of failing to abide by the terms of supervision and court orders, indicating an unwillingness or inability to comply with supervision.
5. Three firearms and a large amount of ammunition seized from defendant's residence at the time of arrest. In addition, a magazine for an assault rifle was also found.
6. Defendant made statements of his intent to flee if pulled over by police.
7. There are no conditions or combination of conditions other than detention that will reasonably assure the appearance of defendant as required or ensure the safety of the community.

IT IS THEREFORE ORDERED:

- (1) Defendant shall be detained and shall be committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- (2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;
- (3) On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

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1 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
2 counsel for the defendant, to the United States Marshal, and to the United States
3 Pretrial Services Officer.

4 DATED this 29th day of June, 2010.

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7 JAMES P. DONOHUE
8 United States Magistrate Judge
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